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CONTACT: Makini Hammond, Deputy City Attorney, Code Enforcement Unit, 533-5664

Superior Court Judge Grants Preliminary Injunction in Gang Case

*City of San Diego Achieves Next Step in Declaring Lincoln Park Gang Members
a Public Nuisance*

San Diego, CA (December 1, 1998) -- The City Attorney's Code Enforcement Unit has taken the next step in declaring members of the Lincoln Park gang a public nuisance. Today, the Honorable J. Michael Bollman issued a preliminary injunction against twenty-three documented gang members, who are members of or associates with the Lincoln Park gang. Today's action follows Judge Bollman's ruling on November 19, 1998, when he issued a temporary restraining order against the Lincoln Park gang and twenty-three of its documented members. The preliminary injunction issued today will remain in effect until any further action by the court, which might include a trial in which the named defendants have a right to contest the terms on the injunction.

Deputy City Attorney Makini Hammond filed the action against the Lincoln Park gang under California's public nuisance abatement laws following an extensive documentation process lead by San Diego Police Gang Detective Janet Polk and involving other police detectives and officers. This documentation showed that Lincoln Park gang members have occupied, used, and permitted the use of the Lincoln Park community, bordered by 45th Street to the west, Magnus Way to the south, Euclid Avenue to the east, and Imperial Avenue to the north, in a manner constituting a public nuisance. The gang members congregate on the sidewalks and streets at certain locations attracting violence into the community. The documentation also showed that the gang members are regularly involved in criminal activities, including drive-by shootings, drug sales, rapes, assault and battery, robberies, graffiti, theft, and murder. This is the first time the City of San Diego has used civil gang injunctions to fight gang-related crime.

The terms of the preliminary injunction issued today are the same as those in the temporary restraining order obtained last month. The preliminary injunction restrains the gang members from associating with other known, Lincoln Park gang members in public or public view; from possessing or using dangerous weapons; from using and selling drugs; from possessing or using spray paint or other devices used for graffiti; from trespassing on private property; from wearing gang colors or clothing; and from being in or around 14 designated locations.

"Violation of the court order is punishable by contempt of court," City Attorney Casey Gwinn explained. "If any of the named defendants violate the court order, they can expect to be brought to court by our attorneys and may spend time in jail. The use of civil injunctions to fight gang-related crime has been successful in other cities in California. We are confident it will cut down on gang violence and gang-related crime in San Diego, as well."

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